

DAPHNE E. BARBEE #2911  
 ATTORNEY AT LAW  
 1188 BISHOP STREET  
 CENTURY SQUARE, SUITE 1909  
 HONOLULU, HI 96813  
 TELEPHONE: 808-533-0275

ATTORNEY FOR PLAINTIFF

ORIGINAL

FILED IN THE  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

JAN 15 2008

at 1 o'clock and 20 min P.M.  
 SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

RAYMOND E. WARE;	)	CIVIL NO. CV 04-00671 HG/LEK
	)	
Plaintiff,	)	PLAINTIFF'S POSITION ON
	)	DEFENDANT'S EXHIBITS;
vs.	)	CERTIFICATE OF SERVICE
vs.	)	
	)	
MICHAEL CHERTOFF, Secretary,	)	
Department of Homeland Security;	)	
JOHN DOES 2-5,	)	Trial Date: February 5, 2008
	)	Time: 9:00a.m.
Defendants.	)	Judge: Helen Gillmor
	)	

PLAINTIFF'S POSITION ON DEFENDANT'S EXHIBITS

Exhibit No. 200 No objection.

Exhibit No. 201-203 Objection, hearsay.

Exhibit No. 204 No objection. However, requests redaction of social security number, phone number and email.

Exhibit No. 205 Objection as to hearsay statements and statements subjected to redaction pursuant to Motion In Limine and 403 and 404(b) FRE.

Exhibit No. 206 Objection as to the writing of "Verbal Warning" on the first page without qualification. No objection to the first page and second page without the "Verbal Warning" written on the first page.

Exhibit No. 207 Objection. Relevancy.

Exhibit No. 208 No objection.

Exhibit No. 209-213 Have not been produced for inspection. Plaintiff objects insofar as they have not been shown or produced.

Exhibit No. 214 Objection. Relevancy as to time frame.

DATED: Honolulu, Hawaii

*DRB*

*1-15-08*

DAPHNE E. BARBEE  
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

RAYMOND WARE,	)	CIVIL NO. 04-00671 HG LEK
	)	
Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
vs.	)	
	)	
MICHAEL CHERTOFF, Secretary,	)	
Department of Homeland Security;	)	
JOHN DOES 2-5,	)	
	)	
Defendants.	)	
	)	

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was duly served upon the following parties at their last known addresses by means of hand delivery on this date.

EDWARD H. KUBO, JR., ESQ.  
U.S. Attorney  
THOMAS A. HELPER, ESQ.  
Assistant U.S. Attorney  
Rm. 6-100, PJKK Federal Building  
300 Ala Moana Blvd.  
Honolulu, Hawaii 96850

Attorneys for Federal Defendants

DATED: Honolulu, Hawaii, 1-15-08.

  
DAPHNE E. BARBEE  
Attorney for Plaintiff